

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Davis Pan and James M. Rehg

Application No.: 09/662,474

Group: 2616

Filed: September 15, 2000

Examiner: R. Chevalier

Confirmation No.: 3606

For: METHOD AND SYSTEM FOR CORRELATING DATA STREAMS

RECEIVED

OCT 28 2004

Technology Center 2600

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>10/21/04</u>	<u>Margaret A. Norcutt</u>
Date	Signature
<u>Margaret A. Norcutt</u>	
Typed or printed name of person signing certificate	

DECLARATION UNDER RULE 131

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, Davis Pan and James M. Rehg, declare and state that:

1. We are the co-inventors in the above-identified patent application.
2. The invention described and claimed in the above-identified application was conceived at least as early as February 18, 1999 prior to the May 22, 2000 filing date of U.S. Patent No. 6,505,153 to Van Thong et al. The invention was constructively reduced to practice at least by the September 15, 2000 filing date of the subject application and alternatively as early as the May 22, 2000 filing date of U.S. Patent No. 6,505,153. The conception and diligence from conception to the filing of the captioned patent application are evidenced by attached exhibits A through G which are described below in an account of the development of the invention through filing of the subject application (constructive reduction to practice).

3. In a conversation with each other on February 18, 1999, we generated an initial idea for linking user input to streaming data using time-correlated event-generated data pointers. We developed most of the specific details of the invention on the next day, February 19, 1999. (See Exhibit A which is a copy of the company invention disclosure document setting forth the details and background of this invention.)

4. Through Spring and Summer of 1999 we prepared a description of the invention and completed a company invention disclosure document (Exhibit A). We submitted the invention disclosure document to the company invention review committee around September/October of 1999.

It was during that time (Spring/Summer 1999) that we conferred with colleague Jean-Manuel Van Thong with regard to application of the present invention to closed captioning. Use of the present invention in closed captioning systems is mentioned in the original invention disclosure document (Exhibit A) at page 1, section 1, at the top of page 9 and at page 11, section 5.1. Also see page 8, § 4.3.3 and top of page 11 of Exhibit B2 which is a copy of the Van Thong et al. invention disclosure document for "An Efficient Method for Producing Off-line Closed Captions" dated July 8, 1999 (Exhibit B1).

5. On November 22, 1999 outside patent counsel, James M. Smith of Hamilton, Brook, Smith & Reynolds, P.C., received a copy of the invention disclosure document. (See date stamp on page 1 of Exhibit A.)

6. In the months of December 1999 and January 2000, Mr. Smith obtained approval for preparing a patent application on behalf of the then owning company. (See Exhibit C.)

7. On January 26, 2000, we met with outside patent counsel (Mr. Smith and his associate Paul Kriz) to discuss the details of the invention. (Exhibit D)

8. In February 2000, we provided to patent counsel electronic word processing file copies of the invention disclosure document and additional examples for the patent application. (Exhibit E)

9. In May 2000, outside patent counsel provided us with a draft patent application for review. (Exhibits F1 and F2)

10. In August 2000, we provided our edits to the draft patent application. (Exhibit D)

11. On September 5, 2000, we received a revised version of the patent application for final review and approval before filing of the subject patent application. (Exhibit G)

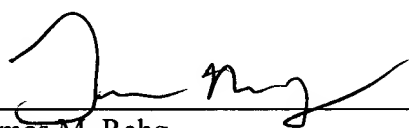
12. All of the above-described acts took place in the United States of America.

13. Extraneous subject matter has been blotted off the aforementioned exhibits in accordance with common United States Patent & Trademark Office practice involving Rule 131 declarations.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 101 of Title 18 of the United States Code and that any such willful false statements may jeopardize the validity of the application or any patent issued thereon.

\_\_\_\_\_  
Davis Pan

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
James M. Rehg

10/1/04  
\_\_\_\_\_  
Date

## INDEX OF EXHIBITS

- A Company invention disclosure document for subject invention
- B1,B2 Company invention disclosure document for "An Efficient Method for Producing Off-line Closed Captions" by Van Thong et al. and email cover sheet
- C Copy of email communications between company attorney and outside patent counsel
- D Timeslips and billing statements of outside patent counsel
- E Copies of email between inventors and outside patent counsel
- F1,F2 Copies of cover letters forwarding draft application to inventors
- G Copy of cover letter forwarding revised draft application to inventors